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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,924	01/16/2004	Jonathan W. Furlong	084554-9174-00	6538

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EXAMINER
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LUGO, CARLOS

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/758,924

Applicant(s)

FURLONG, JONATHAN W.

Examiner

Carlos Lugo

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9,21,22,24 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9,21,22,24 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: ATTACHMENT #1

### DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on January 17, 2006.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-9,21,22,24 and 25 are rejected** under 35 U.S.C. 102(b) as being anticipated by US Pat No 3,107,113 to Sconzo.

Regarding claims 1 and 21, Sconzo discloses a door handle assembly comprising a handle (11,12,14 and 15) that includes a first attachment portion and a second attachment portion spaced apart a distance to couple the handle to the door (see attachment #1).

The assembly comprises an actuator (13) and a latch bolt (Col. 2 Line 46) coupled to the actuator.

Further, the assembly comprises an attachment member (27) at least partially defining the second attachment portion and defining an attachment axis that is substantially parallel to the attachment surface. The attachment member is moveable along the attachment axis relative to the handle to move the second attachment portion between a first and a second position to vary the distance between the first and second attachment portions.

As to claim 2, Sconzo discloses that the first position is a first distance from the latch bolt axis and the second position is a second distance from the latch bolt axis, the first distance being different from the second distance (by changing the position of 35 at the bottom within the slot 26 or 36).

As to claim 3, Sconzo illustrates that the latch bolt axis is substantially perpendicular to the attachment axis (Figure 1).

As to claim 4, Sconzo discloses that the attachment member (27) is movable along an adjustment axis, the adjustment axis being substantially perpendicular to the latch bolt axis.

As to claim 5, Sconzo discloses that the handle includes a slot (26) and the attachment member includes a shoulder portion (29) engageable with the slot.

As to claim 6, Sconzo discloses that the handle includes a base (21 or 40) that defines a slot (26 or 36).

As to claims 7 and 25, Sconzo discloses a door handle assembly comprising a handle (11,12,14 and 15) coupled to the door; an actuator (13) coupled to the door; a latch bolt coupled to the actuator and movable along a latch bolt axis between an extended position and a retracted position; and an attachment member (27) defining an attachment axis and movable relative to the handle between a first position and a second position.

The handle includes a base (21 or 40) that defines a slot (26 or 36) and wherein the attachment member (27) includes a T-shaped slider (Figure 2, T-shaped cross section) slidably engageable with the slot.

As to claim 8, Sconzo discloses that the assembly further comprises cover member (14 or 15) coupled to the handle to at least partially cover the attachment member.

As to claim 9, Sconzo discloses that the assembly further comprises a bolt (35) threadably engageable with the T-shaped slider.

As to claim 22, Sconzo discloses that the attachment member (27) is adapted to receive a fastener (35) along an axis substantially perpendicular to the attachment surface.

As to claim 24, Sconzo discloses a door handle assembly comprising a handle (11,12,14 and 15) having a first end defining a first attachment portion and a second end defining a second attachment portion (see attachment #1); a base (21 or 40) fixedly attached to the second end defining a slot (26 or 36); and an attachment member (27) coupled to the second end to at least partially define the second attachment portion and having an orientation that is substantially fixed with respect to the second end.

The attachment member is moveable within a plane that is substantially parallel to the attachment surface to vary the distance between the first and second attachment portions. The attachment member (27) includes a slider engaged with the slot (26) and moveable within the slot between a first and a second position.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-6,22 and 24 have been considered but are moot in view of the new ground(s) of rejection in view of Sconzo.

Also, after further consideration, claims 7-9 and 25 are also rejection in view of Sconzo.

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

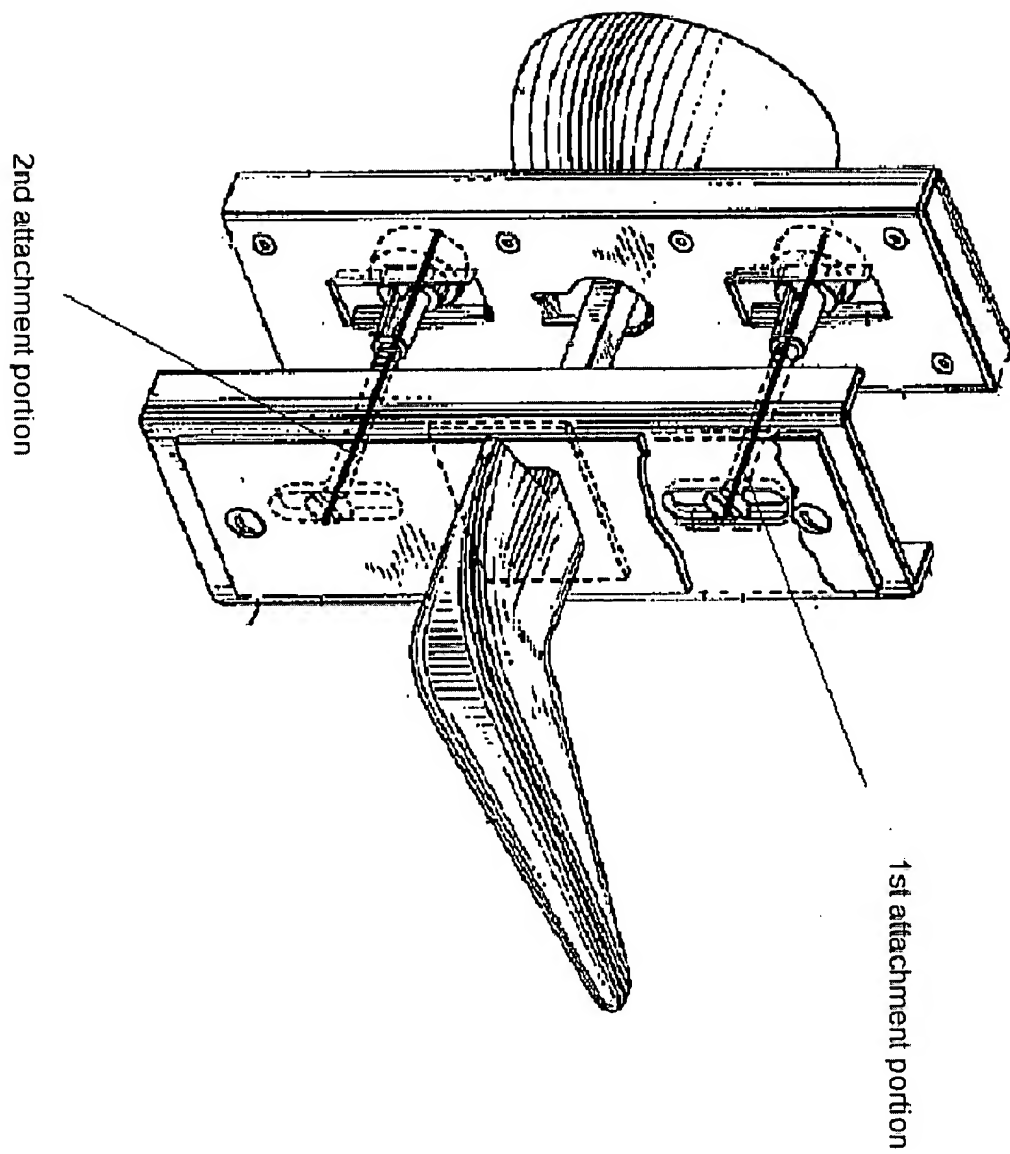
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

C.L.

Carlos Lugo  
Patent Examiner AU 3676  
March 30, 2006.

  
BRIAN E. GLESSNER  
SUPERVISORY PATENT EXAMINER



Attachment #1